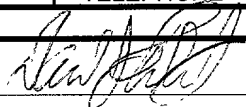


# HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

|  |            |  |                |
|--|------------|--|----------------|
| <b>UTILITY<br/>PATENT APPLICATION<br/>TRANSMITTAL</b><br><small>(Only for new nonprovisional applications under<br/>37 C.F.R. 1.53(b))</small>   |            | Attorney Docket No. 2479.2021-000  |                |
|  |            | First Named Inventor or Application Identifier John E. Hoffmann  |                |
|  |            | Express Mail Label No. EL552287081US   |                |
| Title of Invention   |            | <b>MAXIMIZING DATA RATE BY ADJUSTING CODES<br/>AND CODE RATES IN CDMA SYSTEM</b>   |                |
| <b>APPLICATION ELEMENTS</b><br>See MPEP chapter 600 concerning utility patent application contents.  |            | <b>ADDRESS TO:</b> Assistant Commissioner for Patent<br>Box Patent Application<br>Washington, D.C. 20231   |                |
| 1. <input type="checkbox"/> Fee Transmittal Form<br><i>(Submit an original, and a duplicate for fee processing)</i>  |            | 6. <input type="checkbox"/> Microfiche Computer Program <i>(Appendix)</i>  |                |
| 2. <input checked="" type="checkbox"/> Specification <b>[Total Pages [ 22 ] ]</b><br><i>(preferred arrangement set forth below)</i> <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross References to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to microfiche Appendix</li> <li>- Background of the Invention</li> <li>- Summary of the Invention</li> <li>- Brief Description of the Drawings</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul>  |            | 7. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission<br><i>(if applicable, all necessary)</i> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Computer Readable Copy</li> <li>b. <input type="checkbox"/> Paper Copy (identical to computer copy)<br/> <b>[    ] Pages</b></li> <li>c. <input type="checkbox"/> Statement verifying identity of above copies</li> </ul> |                |
| 3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <b>[Total Sheets [ 07 ] ]</b><br><input type="checkbox"/> Formal <input checked="" type="checkbox"/> Informal<br><input checked="" type="checkbox"/> Fig. of the Drawings for Publication <b>[Fig. 2]</b>  |            | <b>ACCOMPANYING APPLICATION PARTS</b>  |                |
| 4. <input type="checkbox"/> Oath or Declaration/POA <b>[Total Pages [    ] ]</b> <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. 1.63(d))<br/> <i>(for continuation/divisional with Box 17 completed)</i><br/> <b>[NOTE Box 5 below]</b> <ul style="list-style-type: none"> <li>1. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u><br/>               Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. 1.63(d)(2) and 1.33(b).</li> </ul> </li> </ul> |            | 8. <input type="checkbox"/> Assignment Papers (cover sheet & documents)<br><input checked="" type="checkbox"/> Assignee -<br>Tantivy Communications, Inc.<br>Melbourne, FL   |                |
| 5. <input type="checkbox"/> Incorporation By Reference <i>(useable if Box 4b is checked)</i><br>The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.  |            | 9. <input type="checkbox"/> 37 C.F.R. 3.73(b) Statement <input type="checkbox"/> Power of Attorney<br><i>(when there is an assignee)</i>   |                |
|  |            | 10. <input type="checkbox"/> English Translation Document <i>(if applicable)</i>   |                |
|  |            | 11. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations  |                |
|  |            | 12. <input type="checkbox"/> Preliminary Amendment   |                |
|  |            | 13. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503)<br><i>(Should be specifically itemized)</i>   |                |
|  |            | 14. <input type="checkbox"/> Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application, status still proper and desired  |                |
|  |            | 15. <input type="checkbox"/> Certified Copy of Priority Document(s)<br><i>(if foreign priority is claimed)</i>   |                |
|  |            | 16. <input type="checkbox"/> Nonpublication Request <i>(check parent application)</i>  |                |
|  |            | 17. <input type="checkbox"/> Other: _____  |                |
| 18. <b>If a CONTINUING APPLICATION</b> , check appropriate box and supply the requisite information:<br><input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input checked="" type="checkbox"/> Continuation-in-part (CIP) of prior application No.: 09/447,022; 09/263,358<br>Prior application information: Examiner: Not assigned Group Art Unit: 2749; 2731  |            |  |                |
| <b>19. CORRESPONDENCE ADDRESS</b>  |            |  |                |
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|  |            | FAX  | (781) 861-9540 |
| Signature  |            | Date   |                |
|   |            | 1/31/2001  |                |
| Submitted by<br>Typed or Printed Name  |            | Reg. Number  |                |
| David J. Thibodeau, Jr.  |            | 31,671   |                |